

**Place:** Raymond High School; Media Center  
**Call to Order:** 7:00 p.m.

**Members Present:** Jonathan Wood; Doug Vogel; Jim Kent; Bill Hoitt, Board of Selectmen Ex-officio; Gretchen Gott; Bill Cantwell; Moe Titcomb.

**Members Absent:** Don Hedman, Alternate.

**Staff Present:** Ernest Cartier Creveling, Community Development Director; Robert Price, Planning Technician.

**Pledge of Allegiance**

**Election of Officers for the 2011-12 Year**

In accordance with the Raymond Planning Board's Ruled of Procedure, Mr. Cartier Creveling asked for nominations for the position of Chair.

Mr. Titcomb nominated Mr. Cantwell for the position of Chair, seconded by Mr. Hoitt.

Mr. Hoitt nominated Ms. Gott for the position of Chair, seconded by Mr. Kent.

Mr. Vogel nominated Mr. Wood for the position of Chair, seconded by Mr. Cantwell.

Each nominee offered a brief statement as to why they feel they should serve as Chair. Following the statements, candidates were voted upon in the order nominations were received.

Mr. Cantwell received three votes for the position of Chair.

Ms. Gott received two votes for the position of Chair.

Mr. Wood received five votes for the position of Chair. As a result, Mr. Wood was elected Chair of the Planning Board for the 2011-12 year.

Mr. Wood asked for nominations for the position of Vice Chair.

Mr. Titcomb nominated Mr. Cantwell for the position of Vice Chair, seconded by Mr. Vogel.

Mr. Hoitt offered a nomination of Ms. Gott for the position of Vice Chair, but she respectfully declined the nomination.

Mr. Wood next asked for a vote on Mr. Cantwell for the position of Vice Chair.

Mr. Cantwell received seven votes for the position of Vice Chair. As a result, Mr. Cantwell was elected Vice Chair of the Planning Board for the 2011-12 year.

Finally, Mr. Wood asked for nominations for the position of Secretary.

Mr. Kent nominated Mr. Titcomb for the position of Secretary, seconded by Mr. Vogel. No other nominations were offered.

Mr. Titcomb received seven votes for the position of Secretary. As a result, Mr. Titcomb was elected Secretary of the Planning Board for the 2011-12 year.

**Appointment of CIP Committee Representatives for 2011-12 Year**

Ms. Gott and Mr. Vogel declared interest in serving on the CIP Committee. In addition, Mr. Cantwell and Mr. Titcomb offered to serve as Alternates, if needed.

Mr. Wood asked for a vote of the Board for Ms. Gott and Mr. Vogel to serve on the CIP Committee, with Mr. Cantwell and Mr. Titcomb serving as Alternates. The Board voted with a unanimous seven affirmative votes.

**Interview of Alternate for Planning Board**

Jason Pelletier of 11 Patricia Avenue noted he has attended at least three consecutive Planning Board meetings, and would like to serve as an Alternate on the Board. He noted while he may not have experience, and is not familiar with the planning process he has interest in construction, and is willing and eager to learn.

Mr. Kent asked about Mr. Pelletier's background experience. Mr. Pelletier replied he has a little practical experience in construction, but not much other than that.

Mr. Cantwell noted there are several programs available each year for training. He asked if Mr. Pelletier would be interested in attending. Mr. Pelletier replied he would.

Mr. Cantwell asked if attendance at Planning Board meetings would be problematic. Mr. Pelletier replied he does not anticipate having an issue attending Planning Board meetings.

Ms. Gott asked what Mr. Pelletier does for employment. Mr. Pelletier replied he works as an adult in-home care provider.

Ms. Gott asked if Mr. Pelletier would be available on days and times other than Thursday nights, in the event of a training session, site walk, etc. Mr. Pelletier replied he believes he would be able to make time, if necessary, for additional commitments.

Ms. Gott asked if Mr. Pelletier was familiar with RSA 91-A, the "Right to Know" law. Mr. Pelletier replied he was not, but he would make himself aware of, and adhere to it.

Mr. Titcomb noted Mr. Pelletier lives in his neighborhood, and made a personal vouch for this character.

**MOTION:** Mr. Titcomb made a motion, seconded by Mr. Cantwell, to appoint Mr. Pelletier to the Planning Board as an Alternate Member, for a term of three years, to expire March 30, 2014. The motion carried with a unanimous vote of 7-0-0.

It was noted that Mr. Pelletier could not officially participate with the Board until he is sworn in at the Town Office. Mr. Pelletier replied he would take care of that prior to the next Board meeting.

**Approval of Minutes**

Members Seated for Approval of Minutes: Jonathan Wood; Bill Cantwell, Moe Titcomb, Bill Hoitt, Jim Kent, Gretchen Gott, Doug Vogel.

**MOTION:** Mr. Hoitt made a motion, seconded by Mr. Vogel, to approve the minutes of March 03, 2011 as drafted. The motion carried with a vote of 4-0-3, with Mr. Kent, Ms. Gott and Mr. Titcomb abstaining.

**Public Hearing – Raymond Sand & Gravel, LLC Excavation Permit**

Application #2011-002 – An application for an earth excavation permit has been submitted by Jones & Beach Engineers, Inc. on behalf of Raymond Sand & Gravel, LLC. The applicant proposes to crush, process and sell stone that has already been excavated, and is currently sitting on the ground. The applicant estimates the pile to be approximately 15,000 – 20,000 cubic yards. There will be no blasting. The applicant estimates the work will be completed in six months. The property is shown on Raymond Tax Map 37, Lot 10; 321 NH Route 27.

Members Sitting for this Hearing: Jonathan Wood; Bill Cantwell, Moe Titcomb, Bill Hoitt, Jim Kent, Gretchen Gott, Doug Vogel.

Applicants/Agents Present: Kevin Cole, Jr. of Raymond Sand & Gravel, LLC and Joe Coronati of Jones & Beach Engineers, Inc.

Abutters/Public Present: Richard Snow, Town of Candia Board of Selectmen.

Mr. Cartier Creveling stated at the last meeting, there were a series of changes and revisions discussed between the Board and the applicant. He noted that the Applicant made the requested changes, and the Board has new plans in front of them.

Mr. Cartier Creveling explained that staff contacted Altus Engineering to develop an estimate for the cost of reclaiming the 4-acre excavation site. He stated their estimate came back at \$44,000, but clarified that the estimate included hiring a contractor, purchasing of loam, seed, and labor for spreading the materials and grading accordingly. He noted the Town currently has \$10,000 in a cash bond.

Mr. Cantwell noted there is a pile of topsoil on site already, and noted the Board should require as a condition of approval that the topsoil already on site not be removed.

Mr. Coronati noted that the topsoil on site would need to be screened before being spread out. He added that aside from needing to be screened, the topsoil meets the Town's requirements.

Mr. Cole, Jr. stated he estimates about 2,400 yards of loam is needed to reclaim the site, and he is assuming that the existing pile of topsoil is about 4,000 yards.

Regarding the reclamation estimates, Mr. Coronati stated they contacted three different contractors for estimates for reclamation to compare to the estimate provided by Altus Engineering. The estimates ranged in cost from \$10,800 (lowest) to \$13,638 (highest).

Mr. Coronati stated they believe the estimate provided by Altus Engineering was high. He added he asked how much the bonds were for the other two excavation sites in Town (owned by Waldoborough,

LLC and Candia South Branch Brook, LLC). He informed the Board that the Waldoborough, LLC bond is \$16,000 and the Candia South Branch Brook bond is \$25,000. He stated he would like to request that the Board consider lowering the bond amount from the amount of the Altus Engineering estimate for \$44,000.

Mr. Cartier Creveling stated in regards to the other bonds, he noted the other sites reclaimed as they went along, however this site did not. He stated there is a large disparity between Altus and the applicant's estimates, and stated the Board needs to decide how to resolve this.

Mr. Cantwell stated he personally has no problem reducing the amount, so long as the existing pile of topsoil remains on site.

Mr. Vogel stated he feels if the Board requires the existing loam to remain, then he is also comfortable reducing the amount. If the pile is allowed to be moved, then higher numbers should be used.

Mr. Wood polled the Board to determine if the Planning Board should require that the applicant increase their bond with the Town from \$10,000 to \$16,000, and also make a condition of approval that the existing pile of topsoil shall remain on site and be used for reclamation.

POLL RESULTS

Mr. Vogel – Yes  
Mr. Cantwell – Yes  
Mr. Titcomb – Yes  
Mr. Hoitt – Yes  
Ms. Gott – Yes  
Mr. Kent – Yes  
Mr. Wood – Yes

Mr. Cantwell asked if the applicant proposes to do the reclamation themselves, or hire a contractor. Mr. Cole, Jr. stated he would do the work himself.

Mr. Vogel asked if the applicant would need to add to his existing bond over a payment plan, or in one lump sum. Mr. Cole, Jr. stated it could be done in one lump sum.

Mr. Wood stated there is a draft condition of approval requiring that the site be reclaimed on or before October 31, 2012. Ms. Gott stated she would prefer an earlier deadline. Mr. Cole, Jr. stated the intention is to complete reclamation as soon as possible so the bond can be returned.

Mr. Cartier Creveling suggested adding another condition of approval requiring that crushing, processing and removal of material shall not occur after October 31, 2011.

Mr. Cantwell stated dust and noise are the biggest concerns. He asked how someone knows who should be contacted in the event of a dust issue. Mr. Cole, Jr. stated they can call 895-2222, which is posted at the front gate. He added if no one answers, the call will be forwarded directly to his cell phone.

Mr. Kent asked about Note 16 on the plan, which mentions additional lighting. Mr. Coronati stated he believes the note was added in error, and stated it will be removed.

Mr. Coronati noted the modifications that were made to the plan since the last meeting.

Mr. Cantwell stated dust and noise are the biggest concerns. He asked how someone knows who should be contacted in the event of a dust issue. Mr. Cole, Jr. stated they can call 895-2222, which is posted at the front gate. He added if no one answers, the call will be forwarded directly to his cell phone.

Mr. Kent asked about Note 16 on the plan, which mentions additional lighting. Mr. Coronati stated he believes the note was added in error, and stated it will be removed.

Mr. Cartier Creveling outlined a few notes on the plan that needed further clarification or revision. Mr. Coronati made note of the changes and stated they would be addressed.

Ms. Gott stated she has concerns with enforcement on this site. She stated she does not feel that the motion made on March 03, 2011 regarding random drive-by inspections is adequate to address her concerns. She added there has been a history of violations on this site, which adds to her concerns.

**PUBLIC COMMENT**

Mr. Snow stated he is representing the Board of Selectmen of the Town of Candia. He noted the Selectmen in Candia are generally supportive of this application. He stated he understands that the Raymond Planning Board is only looking at this current application, but from Candia's perspective, they are looking at items taking place in the future.

Mr. Snow stated operations are being proposed to commence as soon as possible, with crushing and selling of product to take place immediately, and complete by October 31, 2011. He stated it was also discussed that the applicant needs to reclaim the site by October 31, 2012. He asked what will happen to the crusher after that point. Mr. Wood stated the applicant owns the site and he will be allowed to store it on site if he chooses, however he will not be allowed to operate it.

Mr. Snow stated there is also some concern related to the pile of topsoil that may straddle the Town Line. Mr. Cole, Jr. stated the pile may straddle the line, but claimed it was completely sourced from the Town of Raymond.

Mr. Vogel requested that the applicant provide the location of the pile of topsoil on the existing conditions plan.

Mr. Vogel expressed concern with the applicant's ability to cross the Town Line and bring the material back into Raymond for reclamation purposes. Mr. Cole, Jr. stated even if he can't, 75% of the material is in Raymond, and that is more than enough to complete reclamation.

**MOTION:** Mr. Vogel made a motion, seconded by Mr. Cantwell, to approve Application #2011-002 as presented by Jones & Beach Engineers, Inc. on behalf of Raymond Sand & Gravel, LLC for property located on Raymond Tax Map 37, Lot 10; 321 Route 27.

**The following conditions shall apply:**

1. The conditions of approval designated as conditions precedent must be completed within two (2) months and confirmed in writing by the Raymond Community Development Director or designee, or this approval shall become null and void.

The following are conditions precedent:

- a. The applicant must obtain all required local, State and Federal permitting for the project, and provide copies of the applications, application supporting documentation and permits to the Community Development Department, to include;
    01. New Hampshire Department of Environmental Services Alteration of Terrain Permit. Copies of all studies, surveys, plans or other submissions required to be made to agencies as a condition of the Alteration of Terrain Permit must also be submitted to the Town of Raymond Community Development Department;
    02. United States Environmental Protection Agency Storm Water Pollution Prevention Plan and proof of submission to by the EPA NOI (Notice of Intent) Processing Center and final approval of U.S. EPA to operate.
  - b. All fees authorized to be charged to the applicant pursuant to the Raymond Earth Excavation Regulations including, but not limited to application fees, costs of special studies, and legal and engineering review, shall be paid by the applicant;
  - c. Deeds, easements, conservation easements, condominium documents, maintenance agreements, and any other legal documentation pertinent to this project shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
  - d. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the date of this approval, or April 17, 2011. **Failure to execute the required agreement will result in plan approval revocation.**
  - e. The applicant shall provide an additional \$6,000 bond to the Town of Raymond, to supplement the \$10,000 cash bond already in place, for a total of \$16,000.
2. This approval is subject to the following waivers, as granted by the Raymond Planning Board:
    - a. Town of Raymond Earth Excavation Regulations, Article XIII.A (excavation plan sheets & supporting information);
    - b. Town of Raymond Earth Excavation Regulations, Article XIII.A.6.i (stormwater management plan);
    - c. Town of Raymond Earth Excavation Regulations, Article XIII.A.6.ii (traffic study);
    - d. Town of Raymond Earth Excavation Regulations, Article XIII.A.6.iii & Article XIII.B.9 (noise control study & abatement plan);
    - e. Town of Raymond Earth Excavation Regulations, Article XIII.A.6.iv (hydrogeological study).
  3. Other Conditions Imposed by the Planning Board:
    - a. Applicant shall not exceed a sound level of 65 decibels, Scale A, at any property lines of the lots included in this decision. If at any time during operations the sound level at any property line is determined to be at a level exceeding 65 decibels, Scale A, from an onsite operations-related source, then this excavation permit shall be eligible for revocation by the Raymond Planning Board.

- b. Fugitive dust control within site, which includes all lots included in this approval, shall be employed in accordance with NH Code of Administrative Rules ENV-A 2805.01 and 2803.02, as may be amended from time to time (see below);

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART Env-A 2805 FUGITIVE DUST CONTROL WITHIN THE PLANT PROPERTY

Env-A 2805.01 Fugitive Dust Control Within Plant Property.

(a) For a source or plant subject to this chapter, the owner or operator shall control emissions of dust from vehicular movement within the plant property boundaries. Fugitive dust control methods shall include, but shall not be limited to, paving or wetting the roadway.

(b) For a source or plant subject to this chapter, the owner or operator shall control emissions of dust from stockpiling. Fugitive dust control methods shall include, but shall not be limited to, wet suppression, windbreaks, enclosures, or soil stabilization.

Source. #6428-B, eff 1-18-97 (formerly Env-A 1210); ss by #8218, eff 11-24-04

Env-A 2803.02 Fugitive Emission Control Systems for Sand and Gravel Sources. The owner or operator of a sand and gravel source shall not operate the source unless it is equipped with a fugitive emission control system that is operated and maintained to control the emission of particulate matter.

Source. #6428-B, eff 1-18-97 (formerly Env-A 1210); ss by #8218, eff 11-24-04

- c. Provide copies of additional permits as granted, and list them on the plans.
4. Crushing, processing and removal of material shall not be permitted after October 31, 2011. Reclamation of the site shall be complete on or before October 31, 2012, at which time this permit will expire. The applicant shall be responsible for dust control on site through completion of reclamation.
5. The applicant shall provide an additional \$6,000 bond to the Town of Raymond, to supplement the \$10,000 cash bond already in place, for a total of \$16,000.
6. The existing loam pile shall stay on site to satisfy reclamation requirements.

The motion carried with a vote of 6-1-0, with Ms. Gott opposed because there has not been recognition of previous violations that have occurred on the site, and because to her, the frequency of inspections is inadequate.

**Work Session – Impact of Mottolo Water Line**

Members Sitting for this Discussion: Jonathan Wood; Bill Cantwell, Moe Titcomb, Bill Hoitt, Jim Kent, Gretchen Gott, Doug Vogel.

The Planning Board continued its work on the impact of the water line extension along Route 102.

Mr. Cartier Creveling stated the Planning Board does not seem to have enough information about the land in this area. He stated he can ask Southern NH Planning Commission to do an analysis, or the Board can approach individual land owners and request permission to walk the larger parcels.

Mr. Cartier Creveling last fall, the public expressed a lot of concern with increased traffic. He added he spoke with someone with the NH Department of Transportation earlier today, who expressed that the DOT has little knowledge of what happens at the local level.

Mr. Cartier Creveling stated he is curious if the Board would like him to seek limited proposals from planning agencies to see if the vacant land along Route 102 can actually be developed. He stated the Board needs much more information about the land and the potential impacts certain types of development would have.

Ms. Gott stated she once again would like to see a cost of services study completed for the Town of Raymond.

Mr. Vogel stated he would like to see the Board find a way to still allow a benefit for someone to extend a water line without granting an automatic density increase.

#### **Other Business**

Members Sitting for this Discussion: Jonathan Wood; Bill Cantwell, Moe Titcomb, Bill Hoitt, Jim Kent, Gretchen Gott, Doug Vogel.

The Planning Board heard reports from its members serving on other boards and committees.

A brief discussion ensued regarding the payment of membership dues for the Southern NH Planning Commission for the 2011-12 year.

MOTION: Ms. Gott made a motion, seconded by Mr. Kent, that the Planning Board requests of the Board of Selectmen to pay the 2011-12 membership dues for Southern NH Planning Commission. The motion failed with a vote of 2-3-2, with Mr. Cantwell, Mr. Titcomb and Mr. Vogel opposed, and Mr. Wood and Mr. Hoitt abstaining.

After additional discussion, the Board felt that if this particular line item was funded with one dollar, it could be fully funded at a later date after more research was done. Mr. Cartier Creveling offered to send a memo to the Board of Selectmen requesting that they fund one dollar to the SNHPC membership dues line item, and hold off on cutting it out completely for the time being. The Board agreed with this approach.

#### **Adjournment**

MOTION: Mr. Hoitt made a motion, seconded by Mr. Cantwell, to adjourn. The motion carried with a unanimous vote of 7-0-0. The meeting adjourned at approximately 9:48 p.m.

Respectfully submitted,

Robert Price  
Planning Technician